

March 23, 2006



U.S. Department
of Transportation

400 Seventh Street, S.W.
Washington, D.C. 20590

**Pipeline and
Hazardous Materials
Safety Administration**

DOT-SP 13441
(SECOND REVISION)

EXPIRATION DATE: February 28, 2010

(FOR RENEWAL, SEE 49 CFR § 107.109)

1. GRANTEE: Eastman Kodak Company
HSE - Hazmat Transportation Services
Rochester, NY
2. PURPOSE AND LIMITATION:
 - a. This special permit authorizes the transportation in commerce of the hazardous materials specified in Paragraph 6 across public roads, from one part of a plant to another, as essentially not subject to the hazard communication requirements in Part 172. This special permit provides no relief from the Hazardous Materials Regulations (HMR) other than as specifically stated herein.
 - b. The safety analyses performed in development of this special permit only considered the hazards and risks associated with transportation in commerce.
 - c. No party status will be granted to this special permit.
3. REGULATORY SYSTEM AFFECTED: 49 CFR Parts 106, 107 and 171-180.
4. REGULATIONS FROM WHICH EXEMPTED: 49 CFR subparts C,D,E,F,& G of Part 172 in that hazard communication requirements are waived except as specified herein.
5. BASIS: This special permit is based on the application of Eastman Kodak Company, dated January 5, 2006, submitted in accordance with § 107.109.

6. HAZARDOUS MATERIALS (49 CFR § 172.101):

Proper Shipping Name/Hazardous Materials Description	Hazard Class/Division	Identification Number	Packing Group
Environmentally hazardous substances, solid, n.o.s.	9	UN3077	III
Paint including paint, lacquer, enamel, stain, shellac, solutions, varnish, polish, liquid filler, and liquid lacquer base.	3	UN1263	II, III
Adhesives containing a flammable liquid	3	UN1133	II, III
Batteries, dry, containing potassium hydroxide solid	8	UN3028	III
Lithium battery	9	UN3090	II
Petroleum Gases liquefied	2.1	UN1075	N/A
Aerosols	2.2	UN1950	N/A

7. SAFETY CONTROL MEASURES:

- a. PACKAGING - Prescribed packagings must be in accordance with the requirements of the Hazardous Materials Regulations, as appropriate.

(1) Non-bulk packages containing the hazardous materials specified in paragraph 6 must not exceed the following weight limitations:

Class 9 (environmentally hazardous substances, solid, n.o.s.) - 200 pounds;

Class 3 (paint, adhesives) - 200 pounds;

Class 8 and Class 9 (batteries) - 50 pounds; and

Cylinders and aerosols of Division 2.1 and
Division 2.2 - 200 pounds.

- (2) Bulk packages containing solid Class 9 materials must not exceed 39,000 pounds in weight.
- (3) The aggregate gross weight of all materials on a motor vehicle must not exceed 7,200 pounds in non-bulk packagings and 39,000 pounds in bulk packagings.
- (4) Each package must have a label affixed to the outside of the package describing the material contained in the package.
- (5) In lieu of shipping papers, the grantee must prepare an internal tracking document that identifies the general types of hazardous materials being transported.
- (6) Bulk packages must be marked with the identification number as required in § 172.331.

b. OPERATIONAL CONTROLS -

- (1) This special permit authorizes the transport of packages containing wastes of the hazardous materials from "Kings Landing" to "Kodak Park" via two public roads (Maplewood Drive and Lake Avenue) of about 100 feet each in Rochester, New York. Packages must be filled and packed by employees of Eastman Kodak Company.
- (2) The frequency of shipments for non-bulk packages must not exceed the following:
 - Class 9 (environmentally hazardous substances, solid, n.o.s.) - 2 per week;
 - Class 3 (paint, adhesives) - 8 per year;
 - Class 8 and Class 9 (batteries) - 4 per year; and
 - Cylinders and aerosols of Division 2.1 and Division 2.2 - 4 per year.

(3) The frequency of bulk shipments of solid Class 9 material must not exceed 13 per year.

(4) Not more than one transport vehicle containing the materials authorized by this special permit may be operated at any time.

(5) The vehicle operator must have the ability to contact the Eastman Kodak Company emergency response team in the event of an emergency, e.g., by telephone, radio, etc.

(6) Eastman Kodak's hazmat emergency response team must be on duty during transport.

8. SPECIAL PROVISIONS: A current copy of this special permit must be maintained at the facility where the package is offered for transportation.
9. MODES OF TRANSPORTATION AUTHORIZED: Motor vehicle.
10. MODAL REQUIREMENTS:
 - a. Materials covered under this special permit must be transported by vehicles operated by Eastman Kodak Company.
 - b. A current copy of this special permit must be carried aboard each motor vehicle used to transport packages covered by this special permit.
11. COMPLIANCE: Failure by a person to comply with any of the following may result in suspension or revocation of this special permit and penalties prescribed by the Federal hazardous materials transportation law, 49 U.S.C. 5101 et seq:
 - o All terms and conditions prescribed in this special permit and the Hazardous Materials Regulations, 49 CFR Parts 171-180.
 - o Persons operating under the terms of this special permit must comply with the security plan requirement in Subpart I of Part 172 of the HMR, when applicable.

- o Registration required by § 107.601 et seq., when applicable.

Each "Hazmat employee", as defined in § 171.8, who performs a function subject to this special permit must receive training on the requirements and conditions of this special permit in addition to the training required by §§ 172.700 through 172.704.

No person may use or apply this special permit, including display of its number, when this special permit has expired or is otherwise no longer in effect.

Under Title VII of the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU)- 'The Hazardous Materials Safety and Security Reauthorization Act of 2005' (Pub. L. 109-59), 119 Stat. 1144 (August 10, 2005), amended the Federal hazardous materials transportation law by changing the term 'exemption' to 'special permit' and authorizes a special permit to be granted up to two years for new special permits and up to four years for renewals.

12. REPORTING REQUIREMENTS: Shipments or operations conducted under this special permit are subject to the Hazardous Materials Incident Reporting requirements specified in 49 CFR §§ 171.15 - Immediate notice of certain hazardous materials incidents, and 171.16 - Detailed hazardous materials incident reports. In addition, the grantee(s) of this special permit must notify the Associate Administrator for Hazardous Materials Safety -- OHMSPA, in writing, of any incident involving a package, shipment or operation conducted under terms of this special permit.

Issued in Washington, D.C.:



for Robert A. McGuire
Associate Administrator
for Hazardous Materials Safety

Address all inquiries to: Associate Administrator for Hazardous Materials Safety, Pipeline and Hazardous Materials Safety Administration, Department of Transportation, Washington, D.C. 20590. Attention: PHH-31.

Copies of this special permit may be obtained by accessing the Hazardous Materials Safety Homepage at

http://hazmat.dot.gov/sp_app/special_permits/spec_perm_index.htm

Photo reproductions and legible reductions of this special permit are permitted. Any alteration of this special permit is prohibited.

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